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3 4 Attorneys for USACM Liquidating Trust

5 **UNITED STATES BANKRUPTCY COURT**
 6 **DISTRICT OF NEVADA**

7 In re:

8 USA COMMERCIAL MORTGAGE COMPANY,
 9 USA CAPITAL REALTY ADVISORS, LLC,
 10 USA CAPITAL DIVERSIFIED TRUST DEED FUND,
 LLC,

11 USA CAPITAL FIRST TRUST DEED FUND, LLC,

12 USA SECURITIES, LLC,

13 Debtors.

14 **Affects:**

- 15 All Debtors
- 16 USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
 Case No. BK-S-06-10726-LBR
 Case No. BK-S-06-10727-LBR
 Case No. BK-S-06-10728-LBR
 Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under
 Case No. BK-S-06-10725 LBR

**Objection Of The USACM Liquidating Trust
 To Raymond M. Smith Revocable Trust dtd
 3/12/79's Claim Asserting Secured Status**

Hearing Date: October 15, 2007
 Hearing Time: 9:30 a.m.

19 Raymond M. Smith Revocable Trust dtd 3/12/79 filed Proof of Claim No. 10725-
 20 02512 against USA Commercial Mortgage Company ("USACM"). The Proof of Claim
 asserts a secured claim. The USACM Liquidating Trust (the "USACM Trust") hereby
 21 objects to Raymond M. Smith Revocable Trust dtd 3/12/79's assertion that the claim is
 22 secured by a valid lien on USACM property and moves this Court, pursuant to 11 U.S.C.
 23 § 502 and Rule 3007 of the Federal Rules of Bankruptcy Procedure, for an order
 24 reclassifying Claim No. 10725-02512 as a general unsecured claim. The USACM Trust is
 25 not, by this filing, objecting at this time to any of the claims as unsecured claims or on
 26

1 grounds that the claims were untimely filed, but reserves the right to do so. The basis for
2 this Objection is fully explained in the USACM Liquidating Trust's Motion for Summary
3 Judgment Regarding (1) Responses to the USACM Trust's First through Thirty-Third
4 Omnibus Objections to Claims Asserting a Secured Status; (2) Responses to the USACM
5 Trust's First through Third Omnibus Objections to Claims Asserting a Priority Status; And
6 (3) Newly Alleged Secured And Priority Claims (the "Motion"), filed today. The
7 USACM Trust will serve a copy of the Motion with this objection.

8 Dated: July 30, 2007.
9

10 **LEWIS AND ROCA LLP**

11 By: /s/ RC (#6593)

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